

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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JAMES SUTHERLIN,

Plaintiff,

v.

BRUCE BANNISTER, et al.,

Defendants.

3:08-cv-00640-LRH (RAM)

ORDER

The Court has considered the Report and Recommendation of U.S. Magistrate Judge Robert A. McQuaid, Jr. (#36¹) filed on July 17, 2009, in which the Magistrate Judge recommends that Defendants' Motion to Dismiss (#14) and Plaintiff's Motion for a Preliminary Injunction (#8) be denied. No objections were filed. The Court has considered the pleadings and memoranda of the parties and other relevant matters of record and has made a review and determination in accordance with the requirements of 28 U.S.C. § 636 and applicable case law, and good cause appearing, the court hereby

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¹Refers to court's docket number.

1 ADOPTS AND ACCEPTS the Report and Recommendation of the United States
2 Magistrate Judge (#36); therefore, Defendants' Motion to Dismiss (#14) and Plaintiff's Motion for
3 a Preliminary Injunction (#8) are denied.

4 IT IS SO ORDERED.

5 DATED this 20th day of September, 2009.

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LARRY R. HICKS
UNITED STATES DISTRICT JUDGE